

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

REC ROOM INC ,

Plaintiff(s),

v.

M.Z.,

Defendant(s).

CASE NO.  
2:23-cv-01586-KKE

ORDER SETTING JURY TRIAL  
DATE AND RELATED DATES

Having reviewed the Joint Status Report and Discovery Plan submitted by the parties, the Court hereby sets this case for trial and orders the following pretrial schedule:

Event	Date
JURY TRIAL SET FOR 09:30 am on	<b>10/14/2025</b>
Length of trial	7 days
Deadline for joining additional parties	1/6/2025
Deadline for filing amended pleadings	1/6/2025
Disclosure of expert testimony under FRCP 26(a)(2) due	3/18/2025
All motions related to discovery must be filed by	4/17/2025
Discovery must be completed by	5/19/2025

1	All dispositive motions and motions challenging expert	
2	witness testimony must be filed by this date ( <i>see</i> LCR 7(d)).	6/16/2025
3	Such motions must be noted for consideration no later than	
4	28 days after this date ( <i>see</i> LCR 7(d)).	
5	Settlement conference, if mediation has been requested by	8/15/2025
6	the parties per LCR 39.1, held no later than	
7	All motions in limine must be filed by	9/9/2025
8	Proposed jury instructions and agreed LCR 16.1 Pretrial	9/23/2025
9	Order due, including exhibit list with completed	
10	authenticity, admissibility, and objections fields	
11	Trial briefs, proposed voir dire questions, and deposition	9/30/2025
12	designations due	
13	Pretrial conference scheduled at 10:00 am on	10/6/2025

14 All other dates are specified in the Local Civil Rules. The dates set forth in this  
15 order are firm dates that can be changed only by order of the Court, not by agreement  
16 of counsel for the parties. The Court will alter these dates only upon good cause shown.  
17 Failure to complete discovery within the time allowed is not recognized as good cause.  
18 If any of the dates identified in this Order or the Local Civil Rules fall on a weekend  
19 or federal holiday, the act or event shall be performed on the next business day.

20 If the trial date assigned to this matter creates an irreconcilable conflict, counsel  
21 must notify Courtroom Deputy Diyana Staples at Diyana\_Staples@wawd.uscourts.gov  
22 in writing within ten (10) days of the date of this Order and must set forth the exact  
23 nature of the conflict. A failure to do so will be deemed a waiver. Counsel must be  
24 prepared to begin trial on the date scheduled, but it should be understood that the trial  
25 may have to await the completion of other cases.

### 26 **PROCEDURE FOR DISCOVERY DISPUTES**

As required by LCR 37(a), all discovery matters are to be resolved by agreement if

possible. If agreement is not possible, prior to the filing of any discovery motions, the Court directs the parties to request a conference with the Court. *See* Fed. R. Civ. P. 16(b). The movant must submit a joint statement to the Court briefly identifying the issue(s) in dispute. The joint statement shall be no more than three pages and shall be filed via CM/ECF. Thereafter, the movant should contact Courtroom Deputy Diyana Staples at Diyana\_Staples@wawd.uscourts.gov to schedule a conference.

### EXHIBITS

Counsel are directed to cooperate in preparing the final pretrial order in the format required by LCR 16.1, except as detailed below. The parties must deliver two copies of their respective trial exhibits to Courtroom Deputy Diyana Staples seven days before the trial date. Each exhibit shall be clearly marked. The Court hereby alters the LCR 16.1 procedure for numbering exhibits: Plaintiff(s)' exhibits shall be numbered consecutively beginning with 1; Defendant(s)' exhibits shall be numbered consecutively beginning with 500. Duplicate documents shall not be listed twice. Once a party has identified an exhibit in the pretrial order, it may be used by any party. Each set of exhibits shall be submitted in a three-ring binder with appropriately numbered tabs.

In addition, no later than seven days before the trial date, the parties should send an electronic copy of all exhibits in .PDF format with Optical Character Recognition ("OCR") searchable text to Courtroom Deputy Diyana Staples at Diyana\_Staples@wawd.uscourts.gov. The parties should notify the Court of any physical objects or files that cannot be transmitted electronically. Exhibits must be marked as described above, and the following protocols also apply: (1) Electronic exhibits must be transmitted individually (i.e., one exhibit per file), but exhibits may have multiple pages; (2) Exhibit file names should match the descriptions listed on the joint exhibit list as closely as possible except that file names should not exceed 80 characters, e.g., Ex. 1 – Accident Scene Photo; Ex. 501 – Email dated 4-03-23.

## PRIVACY

Pursuant to LCR 5.2(a), parties shall refrain from including, or shall partially redact where inclusion is necessary, the following personal data identifiers from all documents filed with the Court or used as exhibits in any hearing or at trial, unless otherwise ordered by the Court:

- Dates of Birth – redact to the year of birth, unless deceased.
- Names of Minor Children – redact to the initials, unless deceased or currently over the age of 18.
- Social Security or Taxpayer Identification Numbers – redact in their entirety.
- Financial Accounting Information – redact to the last four digits.
- Passport Numbers and Driver License Numbers – redact in their entirety.

Parties in social security appeals and immigration cases shall comply with LCR 5.2(c).

## COMMUNICATIONS WITH CHAMBERS

Parties should direct initial inquiries to Courtroom Deputy Diyana Staples at Diyana\_Staples@wawd.uscourts.gov. Ex parte communications with chambers involving any matter other than checking on a decision on a motion under LCR 7(b)(5) or settlement are strongly discouraged. For any other types of inquiries, all parties must be copied on the email when communicating with the courtroom deputy.

## COURTESY COPIES

Courtesy copies are required for pleadings that in the aggregate (*i.e.*, the brief plus any declarations or exhibits) are longer than 50 pages, trial exhibits, or upon Court request. If a party believes that courtesy copies may be helpful, such as for complex graphs or images best viewed in color, the party may submit a courtesy copy to chambers for the Court's ease of reference. The courtesy copy must be the version of the document with the header generated by CM/ECF, as this header includes important

1 information (*i.e.*, case number, document number, page number, date filed, etc.).

2 Courtesy copies shall be printed and double-sided. Courtesy copies should be three-hole  
3 punched, tabbed, and placed in a binder or otherwise bound.

#### 4 **CROSS-MOTIONS**

5 The Court encourages parties filing cross-motions to agree to an alternate  
6 briefing schedule allowing for four briefs (one cross-motion, second cross-motion/  
7 opposition, opposition/reply, and reply) rather than a full six briefs (motion, opposition,  
8 and reply for each cross-motion). If the parties can reach an agreement on such a  
9 schedule and any necessary adjustments to the page/word limits, they shall submit a  
10 stipulated motion and proposed order for the Court's approval.

#### 11 ***IN CAMERA* REVIEW**

12 If the Court orders a party to submit documents for *in camera* review, the  
13 party shall send an electronic copy of the documents to Courtroom Deputy  
14 Diyana Staples at Diyana\_Staples@wawd.uscourts.gov. The party shall also deliver  
15 a physical copy of the documents to chambers, clearly marked for *in camera* review  
16 to avoid inadvertent filing on the docket.

#### 17 **ORAL ARGUMENTS**

18 The Court will generally grant requests for oral arguments and will also  
19 generally grant requests for status or scheduling conferences. While the Court prefers  
20 to hold arguments in person, particularly on motions, the Court will consider requests  
21 for remote hearings.

22 The Court also encourages opportunities for junior attorneys and Rule 19  
23 licensed legal interns to appear and to argue in Court, accompanied and supervised  
24 by a more experienced attorney. Requests for leave for Rule 9 interns to argue in Court  
25 will be freely granted, and the Court will permit multiple attorneys to argue for one  
26 party if this creates an opportunity for junior attorneys to participate.

1 All requests pertaining to oral argument should be submitted via email to  
2 Courtroom Deputy Diyana Staples at Diyana\_Staples@wawd.uscourts.gov.

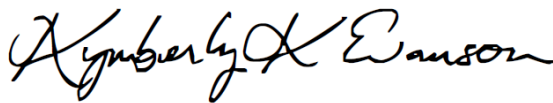
### 3 SCHEDULING

4 To aid in parties in drafting requests for scheduling continuances, the Court's  
5 preferences regarding case scheduling are listed here. Please contact Courtroom Deputy  
6 Diyana Staples at Diyana\_Staples@wawd.uscourts.gov before requesting a continuance  
7 of a trial date to a future date certain to ensure the Court's availability. Please  
8 note the Court requires approximately 120 days between the deadline for filing  
9 dispositive motions and the trial date. Stipulated motions proposing a schedule that does  
10 not comply with this requirement will be denied.

### 11 SETTLEMENT

12 If this case settles, counsel shall notify Diyana Staples via email at  
13 Diyana\_Staples@wawd.uscourts.gov as soon as possible. Pursuant to LCR 11(b), an  
14 attorney who fails to give the courtroom deputy prompt notice of settlement may be  
15 subject to sanctions.

16 Dated this 10th day of September 2024

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20 Honorable Kymberly K. Evanson  
21 United States District Judge  
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